

OPINION
56-43

May 9, 1956 (OPINION)

COURTS

RE: Court Reporter

This is in reply to your letter of April 30, 1956, requesting an opinion of this office on whether you can appoint a legal resident of the State of Minnesota as court reporter in your district.

You call our attention to section 44-0304 of the Code which provides as follows:

"No person shall be appointed as deputy in any state, county, or municipal officer, nor as a member or officer upon any official board, of any kind, of the state, or of any county or municipality of the state, who is not a citizen of the United States, and who shall not be a bona fide resident of the state."

Since we do not believe a court reporter is a "deputy", or "member" or "officer" of any official board within the statute cited, it is our opinion that section 44-0304 does not prohibit the appointment of nonresidents as court reporters.

LESLIE R. BURGUM

Attorney General